

NO. 24037

IN THE SUPREME COURT OF THE STATE OF HAWAII

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JAMES H. ANZAI, Plaintiff-Appellant

vs.

HEIRS OR ASSIGNS OF KAMEHAMEHA I, et al.,  
Defendants-Appellees

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APPEAL FROM THE THIRD CIRCUIT COURT  
(CIV. NO. 00-1-0059K)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson,  
Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that: (1) final judgment has not been entered in Civil No. 00-1-0059K; (2) the appeal of the January 11, 2001 orders denying the motions for summary judgment and for reconsideration is an appeal of interlocutory orders that were not certified for interlocutory appeal; (3) the circuit court's statement that "Plaintiff may pursue this Court's ruling with the Appellate Court" did not constitute interlocutory certification of the January 11, 2001 order denying summary judgment inasmuch as the circuit court did not make the requisite finding and conclusion that an interlocutory appeal will more speedily determine the litigation; see HRS § 641-1(b); Mason v. Water Resources Int'l, 67 Haw. 510, 512, 694 P.2d 388, 389 (1985); (4) that part of the January 11, 2001 order denying reconsideration that sanctioned Appellant to pay \$86.30 is not immediately appealable under the collateral

order doctrine inasmuch as Appellant, as a party to Civil No. 00-1-0059K, may seek review of the sanction on appeal from any adverse final judgment; see Siangco v. Kasadate, 77 Hawai'i 157, 883 P.2d 78 (1994); and thus, (5) this appeal is premature and we lack jurisdiction. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, April 26, 2001.